

# 31680

## THIRD AMENDMENT TO AGREEMENT FOR LEGAL SERVICES

THIS THIRD AMENDMENT TO AGREEMENT FOR LEGAL SERVICES is made and entered, in duplicate, as of January 31, 2015, pursuant to a minute order adopted by the City Council of the City of Long Beach on May 19, 2015, by and between DAVIS WRIGHT TREMAINE LLP ("Special Counsel"), and the CITY OF LONG BEACH, a municipal corporation ("City"), amending that certain agreement ("Agreement") between Special Counsel and City and identified by the City as Agreement No. 31680.

WHEREAS, an Agreement for Legal Services with Special Counsel was entered into, dated as of March 8, 2010, and such Agreement was amended by a First Amendment to Agreement for Legal Services dated as of January 11, 2012 and a Second Amendment to Agreement for Legal Services dated as of January 31, 2014; and

WHEREAS, a Third Amendment to Agreement No. 31680 for Legal Services is required to revise the scope of services and to increase the authorized amount thereunder;

NOW, THEREFORE, IT IS MUTUALLY AGREED by and between the parties hereto as follows:

1. Section 1 of Contract No. 31680 is hereby amended in its entirety to read:

"1. SCOPE OF SERVICES. Special Counsel shall perform all legal services necessary and appropriate to the Matter for which Special Counsel has been engaged, namely: advise, counsel and represent City regarding (i) ongoing proceedings before the California Public Utilities Commission ("CPUC") in connection with the Southern California Gas Company ("SoCalGas") and San Diego Gas and Electric Company ("SDG&E") Triennial Cost Allocation Proceeding; (ii) ongoing proceedings before the CPUC in connection with the SoCalGas and SDG&E North-South Pipeline Application; (iii) ongoing proceedings before the CPUC related to natural gas pipeline safety; (iv) negotiations with SoCalGas regarding pipeline lease agreements;

(v) cap-and-trade program compliance obligations; and (vi) the Southeast Resource Recovery Facility.

2. Section 3 of Contract No. 31680 is hereby amended in its entirety to read:

“3. FEE. City shall pay to Special Counsel in due course of payments compensation at the hourly rates identified in the staffing profile and reimbursement of costs as further described herein the “Guidelines” also attached hereto, not to exceed One Hundred Thirty-Five Thousand Dollars (\$135,000) per annum.”

IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed with all the formalities required by law on the respective dates set forth opposite their signatures.

DAVIS WRIGHT TREMAINE LLP

DATED: 5/8/15

By: [Signature]

Title: Partner

“Special Counsel”

CITY OF LONG BEACH, a municipal corporation

DATED: 5/28/15

By: [Signature]

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

City Manager **Assistant City Manager**

“City”

The foregoing Third Amendment to Agreement No. 31680 for Legal Services is approved as to form this 26 day of May, 2015.

CHARLES PARRIN, City Attorney

By: [Signature]

Deputy

**Revised Addendum as of January 31, 2015 to Agreement No. 31680**

(replaces any previous Addendum in its entirety)

The following is a list of the partners, associates, and paralegals who are authorized to work as Special Counsel under Agreement No. 31680, including their 2015 billing rates:

Name	Title	2015 Rate
Vidhya Prabhakaran	Partner	\$525
Patrick Ferguson	Senior Associate	\$495
Katie Jorrie	Associate	\$315
Emily Sangi	Associate	\$315
Judy Pau	Paralegal	\$275